



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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NAS BRUNSWICK  
5090.3a

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February 13, 2004

Mr. Orlando Monaco  
Department of Navy  
Engineering Field Activity-Northeast  
Code 1823/OM  
10 Industrial Highway, Mailstop 82  
Lester, PA 19113-2090

Re: Site 9, Land Use Control Implementation Plan (LUCIP)

Dear Mr. Monaco:

The Maine Department of Environmental Protection (MEDEP) has reviewed the Draft Land Use Control Implementation Plan (LUCIP) Site 9, Neptune Drive Disposal Site, dated January 16, 2004. Based on that review MEDEP concurs with the comments submitted by EPA (January 30, 2004) and in addition has the following comments and issues.

**General Comments:**

1. MEDEP understands that the Navy initiated the development of LUCIPs as part of an agreement with EPA to improve its maintenance of sites with institutional control restrictions. The LUCIP is not a replacement for the institutional controls outlined in the Base Instructions (5090.1B) which were required by the Record of Decision. (No response required.)
2. Maine has developed and implemented its own tracking system for institutional controls; at present NASB is the only active installation in the system. Because Institutional Controls (IC) tracking comes down to semantics and Navy is developing its own system, it is likely that two different sets of terms will be developed for the same ICs. It would be advantageous to compare the systems. Denise Messier has offered travel to Brunswick and talk about MEDEP's tracking system; or Mr. Williams can come here to see the MEDEP database.

**Specific Comments:**

3. Page 1, Section 1:

"This LUCIP was prepared as a result of the selection for Institutional Controls (hereafter also stated as "Land Use Controls (LUCs) because deed restrictions are difficult to implement on Federal-owned properties) as part of the remedy in accordance with the September 1999 Record of Decision (ROD) for Site 9.

This sentence is awkward and unclear; please review and revise for clarity.

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4. Page 1, Section 2:

- a.) Site 9 is located in the central part of base support area on base, east of the runways and flight line area (Figure 1).

MEDEP recommends the following changes: "Site 9 is located in the central part of the base support area ~~on base~~, east of the runways and flight line area (Figure 1 2)." (Figure 1 would be better referenced in sentence 2 of Section 1 where it discusses the multiple sites.)

- b.) "Site 9 is a relatively level area"

To be more in keeping with the language in the ROD, MEDEP recommends: "*Site 9 is generally flat with two steep-sided stream channels in the southern portion of the site.*"

- c.) "Currently BEQ Bldgs 212-220 still exist on the site with grass surrounding the buildings north of Neptune Drive (Figure A-2)."

It was MEDEP's understanding that building 216 had been demolished. Also check the reference to Figure A-2.

- d.) "An unnamed drainage stream/surface water impoundment pond exists immediately south of the Galley and consists of flight line and Neptune Drive storm water discharge."

In keeping the language in the ROD, MEDEP recommends the following language: "*Impoundment ponds have been constructed and receive surface drainage from the majority of the industrial operations area of the base, including the flight line and the hangar areas*"

- e.) "BEQ Bldgs 212-220 are planned for demolition in FY2004. Following or in conjunction with facility demolition, site 9 landfill waste material and contaminated soils are planned for removal and disposal in FY2004."

See comment 4.c. above regarding building 216. Also MEDEP recommends putting this information in a section on future plans or at the least moving to the end of this section. Its current location fragments the discussion of the site description.

5. Page 2, Section 3:

"The ROD specified the following Land Use Controls objectives and requirements for Site 9<sup>1</sup>."

Even with the qualifying footnote this statement is a stretch. There were no identified objectives in the ROD and the statements within the ROD would be difficult to use in this format. Therefore MEDEP recommends the following revision: *The ROD specified Institutional Controls, therefore the following Land Use Controls objectives and requirements have been developed for Site 9.*"

6. Page 2, Section 3, bullet 4:

"The Navy will enforce existing LUCs and has ultimate responsibility for ensuring that these controls, as a component of the selected remedy, will continue to be effectively in place and protective of human health and the environment."

The statement in the ROD is "The Navy would have ultimate responsibility for ensuring that these controls, as a component of the selected remedy, will continue to be in place *and effective* and protective of human health and the environment." "Effectively in place" and "in place and effective" have different meanings; please use the phrase as stated in the ROD.

7. Page 2, Section 3, bullet 6:

"If the Bachelor Enlisted Quarters' exterior walls are disturbed in the future, the remedy of the [sic] Site 9 will be reassessed."

According to the ROD the remedy for the ash landfill will be reassessed not the remedy for Site 9. Please revise.

8. Page 2, Section 3, bullet 8:

MEDEP recommends the following language: "If the contents of the landfill are disturbed, *the waste* shall be disposed of in accordance ..."

9. Page 2, Section 4. Item 1:

"Update the IC map that show the known extent of soil and groundwater contamination..."

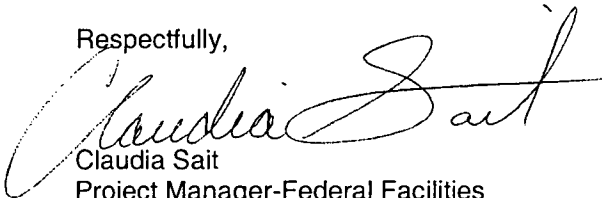
There is no known soil contamination at Site 9 rather it is the ash landfill. Therefore please revise as follows: "Update the IC map that show the known extent ~~of soil and the~~ groundwater contamination *and the ash landfill*..."

10. Page 3, section 4:

Since Item 5.d. requires the submittal of the annual inspection, MEDEP recommends adding an item that requires the implementation of an annual inspection which outlines what the inspection will entail.

Thank you for the opportunity to review this report. If you have any questions or comments please call me at (207) 287-7713.

Respectfully,



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